

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CRIMINAL DOCKET FOR CASE #: 1:20-mj-00885-AWA All Defendants**

Case title: USA v. Mehaffey

Date Filed: 10/21/2020

Other court case number: 2:20-cr-626-PHX-DWL District of
Arizona, Phoenix Division

Assigned to: Judge Andrew W.
Austin

Defendant (1)

Brannen S Mehaffey

represented by **Horatio R. Aldredge**
Federal Public Defenders' Office
Lavaca Plaza
504 Lavaca St., Ste 960
Austin, TX 78701
(512)916-5025
Fax: 512/916-5035
Email: Horatio_Aldredge@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Duty Pub. Defender-Austin
Office of the Federal Public Defender
Austin Division
500 Lavaca St., Suite 960
Austin, TX 78701
(512) 916-5025
Fax: (512) 916-5035
Email: norma_g_medrano@fd.org
TERMINATED: 10/23/2020
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints**Disposition**

18:1956 (a)(3)(B) & (C) MONEY
LAUNDERING (COUNTS 1-7);
31:5324.F STRUCTURING
TRANSACTIONS TO EVADE
REPORTING REQUIREMENTS
(COUNT 8)

Plaintiff

USA

represented by **Kathryn McGlenn Cherry**
United States Attorney's Office
903 San Jacinto Blvd
Austin, TX 78701
(512) 560-7845
Fax: (512) 916-5854
Email: kathryn.cherry@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael C. Galdo
US Attorney's Office – Austin
903 San Jacinto Blvd.
Suite 334
Austin, TX 78701
512-916-5858
Email: michael.galdo@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
10/21/2020	<u>1</u>		Arrest (Rule 5 – District of Arizona) of Brannen S Mehaffey (jf) (Entered: 10/21/2020)
10/21/2020	<u>2</u>	4	MOTION to Detain Defendant without Bond by USA as to Brannen S Mehaffey. (kkc) (Entered: 10/21/2020)
10/22/2020	<u>3</u>	6	NOTICE OF ATTORNEY APPEARANCE Kathryn McGlenn Cherry appearing for USA. . Attorney Kathryn McGlenn Cherry added to party USA(pty:pla) (Cherry, Kathryn) (Entered: 10/22/2020)
10/23/2020	<u>4</u>	8	Minute Entry for proceedings held before Judge Andrew W. Austin: Initial Appearance by Video District of Arizona as to Brannen S Mehaffey held on 10/23/2020 (Minute entry documents are not available electronically.) (Court Reporter Zoom/OBS.) (klw) (Entered: 10/23/2020)

10/23/2020	<u>5</u>	10	Order Regarding Financial Status as to Brannen S Mehaffey. Signed by Judge Andrew W. Austin. (klw) (Entered: 10/23/2020)
10/23/2020	<u>6</u>	11	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Brannen S Mehaffey. Signed by Judge Andrew W. Austin. (klw) (Entered: 10/23/2020)
10/23/2020	<u>7</u>	12	ORDER OF TEMPORARY DETENTION as to Brannen S Mehaffey. Detention & Identity Hearing set for 10/28/2020 11:00 AM before Judge Andrew W. Austin. Signed by Judge Andrew W. Austin. (klw) (Entered: 10/23/2020)
10/23/2020	<u>8</u>	14	NOTICE OF ATTORNEY APPEARANCE: Horatio R. Aldredge appearing for Brannen S Mehaffey . Attorney Horatio R. Aldredge added to party Brannen S Mehaffey(pty:dft) (Aldredge, Horatio) (Entered: 10/23/2020)
10/28/2020	<u>9</u>	15	Minute Entry for proceedings held before Judge Andrew W. Austin:Detention Hearing as to Brannen S Mehaffey held on 10/28/2020 (Minute entry documents are not available electronically.) (Court Reporter ZOOM Recording.) (afd) (Entered: 10/28/2020)
10/28/2020			ORAL WAIVER of Identity Hearing Given by Brannen S Mehaffey (afd) (Entered: 10/28/2020)
10/28/2020	<u>10</u>	16	ORDER the Court confirms the United States obligation to produce all exculpatory evidence to the defendant pursuant to Brady v.Maryland, 373 U.S. 83 (1963), and its progeny, and orders it to do so. as to Brannen S Mehaffey. Signed by Judge Andrew W. Austin. (afd) (Entered: 10/28/2020)
10/28/2020	<u>11</u>	17	ORDER Setting Conditions of Release as to Brannen S Mehaffey (1) 10/23/2020. Motions terminated: <u>2</u> MOTION to Detain Defendant without Bond filed by USA.. Signed by Judge Andrew W. Austin. (afd) (Main Document 11 replaced on 10/29/2020) (kkc). (Entered: 10/28/2020)
10/28/2020	<u>12</u>	20	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICTWHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Brannen S Mehaffey. Signed by Judge Andrew W. Austin. (afd) (Entered: 10/28/2020)
10/28/2020	<u>13</u>	21	ORDER Setting Status Conference by Video as to Brannen S Mehaffey Status Conference set for 11/5/2020 11:15 AM before Judge Andrew W. Austin. Signed by Judge Andrew W. Austin. (afd) (Entered: 10/28/2020)
11/05/2020	<u>14</u>	22	Minute Entry for proceedings held before Judge Andrew W. Austin: Status Conference as to Brannen S Mehaffey held on 11/5/2020 (Minute entry documents are not available electronically.) (Court Reporter Zoom.) (kkc) (Entered: 11/05/2020)
11/05/2020	<u>15</u>	23	ORDER Modifying as to Brannen S Mehaffey re <u>11</u> Order Setting Conditions of Release. Signed by Judge Andrew W. Austin. (jf) (Entered: 11/05/2020)

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO.: A-20-mj-885
)	
BRENNAN MEHAFFEY, (1))	

MOTION FOR DETENTION

COMES NOW the United States by and through its Assistant United States Attorney and files this motion for pretrial detention under Title 18, United States Code, Section 3141, et seq., and would show the Court the following:

1. The pending case involves:

- ☐ (A) A crime of violence
- ☐ (B) An offense for which the maximum sentence is life imprisonment or death.
- ☐ (C) An offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act, the Controlled Substances Import and Export Act or the Maritime Drug Law Enforcement Act.
- ☐ (D) A felony committed after the Defendant had been convicted of two or more prior offenses described in Title 18, United States Code, Section 3142(f)(1)(A)-(C) or comparable state or local offense.
- ☐ (E) A felony that involves a minor victim or that involves the possession or use of a firearm or destructive device, or any other dangerous weapon, or involves a failure to register under section 2250 of Title 18, United States Code.
- ☒ (F) A serious risk that the Defendant will flee.
- ☐ (G) A serious risk that the person will obstruct or attempt to obstruct justice, or attempt to threaten, injure or intimidate a prospective witness or juror.

- ☐ (H) An offense committed by the Defendant while released pending trial or sentence, or while on probation or parole requiring an initial 10 day detention pursuant to 18 U.S.C. § 3142(d).
- ☐ (I) An offense committed by the above named defendant who is not a citizen of the United States or lawfully admitted for permanent residence requiring an initial 10 day detention under the provisions of 18 U.S.C. § 3142(d).

2. No condition or combination of conditions will:

- ☒ (A) Reasonably assure the appearance of the person as required.
- ☒ (B) Reasonably assure the safety of the community or any other person.

The United States may advocate additional reasons for detention other than those indicated above as the investigation proceeds and new information becomes available.

WHEREFORE, PREMISES CONSIDERED, the Government requests that the Defendant be held without bond.

Respectfully submitted,

GREGG N. SOFER
United States Attorney

By:

/s/ Michael C. Galdo
MICHAEL C. GALDO
Assistant U.S. Attorney

United States District Court
Western District of Texas
Austin Division

United States of America,
Plaintiff,

v.

Brannen S. Mehaffey,

Defendant.

No. A-20-MJ-885

Government's Notice of Attorney Appearance

Comes now the United States Attorney for the Western District of Texas and files this Notice of Attorney Appearance in the above-styled and numbered cause.

The United States Attorney, by and through the undersigned Assistant United States Attorney, hereby notifies the Defendants and this Court that Assistant United States Attorney, Kathryn McGlenn Cherry, will be serving as co-counsel with Assistant United States Attorney, Michael C. Galdo in the above case.

Respectfully submitted,

Gregg N. Sofer
United States Attorney

By: /s/ Kathryn McGlenn Cherry

Kathryn McGlenn Cherry
Assistant United States Attorney
Texas State Bar No. 24114781
903 San Jacinto, Suite 334
Austin, Texas 78701
(512) 916-5858 (phone)
(512) 916-5854 (fax)
kcherry@usdoj.gov

Certificate of Service

I certify that on October 22, 2020, I electronically filed this document with the Clerk of Court using the CM/ECF system, which will transmit notification of such filing to all counsel of record.

/s/ Kathryn McGlenn Cherry

Kathryn McGlenn Cherry
Assistant United States Attorney

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

v.

Case Number: AU:20-M -00885(1)

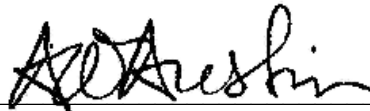
(1) Brannen S Mehaffey
Defendant

ORDER

The above named defendant appeared in Court this day and requested the Court to appoint counsel. The Court has reviewed the defendant's CJA 23 financial affidavit and has determined that the indigency of the defendant is in question. However, in the interests of justice, the Court has decided to appoint an attorney for the defendant and has advised the defendant that he/she may be required to reimburse the Government for the costs of appointed counsel upon completion of the case.

THEREFORE, IT IS ORDERED that upon any finding of guilt in regards to these current charges, the U.S. Probation Office is instructed to make financial inquiries of the defendant to determine if he/she can repay the costs of court-appointed counsel. The U.S. Probation Office shall report its findings to the judicial officer assigned to the case prior to any sentencing.

Signed this 23rd day of October, 2020.



ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

United States of America

v.

(1) Brannen S Mehaffey

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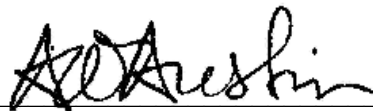
Case Number: AU:20-M -00885(1)

ORDER APPOINTING FEDERAL PUBLIC DEFENDER

The above-named defendant having satisfied this court after appropriate inquiry that he/she (1) does not wish to waive representation by counsel, and (2) is financially unable to obtain counsel, therefore, the Federal Public Defender is hereby APPOINTED to represent the defendant in the above styled and numbered cause.

Should this case proceed in the future before a United States District Judge, the appointment shall remain in effect until terminated, or a substituted attorney is appointed.

SIGNED this 23rd day of October, 2020.



**ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE**

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

Case Number: AU:20-M -00885(1)

v.

(1) Brannen S Mehaffey
Defendant

ORDER SCHEDULING A DETENTION HEARING

A ☒ detention hearing and an ☒ identity hearing in this case is/are scheduled as follows:

Place:	by Zoom	Date: October 28, 2020
Presiding Judge:	Magistrate Judge Andrew W. Austin	Time: 11:00 AM

IT IS ORDERED: Pending the hearing, the defendant is to be detained in the custody of the United States Marshal or any other authorized officer. The custodian must bring the defendant to the hearing at the time, date, and place set forth above.

If defendant chooses to waive hearing, a written waiver (see attached) must be signed by defendant and his/her counsel and filed by 4:00 p.m. the day before scheduled hearing.

October 23, 2020

Date

ANDREW W. AUSTIN

UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

Case Number: AU:20-M -00885(1)

v.

Charging District Case No.: 2:20-cr-626-PHX-DWL

(1) Brannen S Mehaffey
Defendant

Waiver of Rule 5 & 5.1 Hearings
(Complaint/Indictment)

I understand that I have been charged in another district, the District of Arizona, Phoenix Division.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise —unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- () an identity hearing and production of the warrant.
- () a preliminary hearing.
- () a detention hearing.
- () an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

(1) Brannen S Mehaffey, *Defendant*

Date

Counsel for Defendant

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	CAUSE NO. AU:20-M-885(1)
	§	
BRANNEN S MEHAFFEY	§	

NOTICE OF ATTORNEY APPEARANCE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Horatio R. Aldredge, Assistant Federal Public Defender and enters appearance as counsel for the defendant in the above-styled and numbered cause.

Respectfully submitted.

MAUREEN SCOTT FRANCO
Federal Public Defender

/s/ HORATIO R. ALDREDGE
Supervisory Assistant Federal Public Defender
Western District of Texas
Lavaca Plaza
504 Lavaca St., Ste. 960
Austin, Texas 78701
(512) 916-5025 / (512) 916-5035 (FAX)
Bar Number: Texas 00795216

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of October, 2020, I filed the foregoing Notice of Attorney Appearance using the CM/ECF system which will give electronic notification to the following:

Michael C. Galdo
Kathryn McGlenn Cherry
Assistant U.S. Attorney
903 San Jacinto Blvd., Ste. 334
Austin, TX 78701

/s/ HORATIO R. ALDREDGE

UNITED STATES MAGISTRATE JUDGE
IDENTITY/DETENTION HEARING BY VIDEO

CASE NO. <u>AU:20-M -00885(1)</u>	LOCATION: <u>AUSTIN, TEXAS</u>
DEFENDANT: <u>(1) Brannen S Mehaffey</u>	ATTORNEY: <u>Horatio R. Aldredge</u>
MAGISTRATE JUDGE: <u>ANDREW W. AUSTIN</u>	AUSA: <u>Michael C. Galdo, Gary Restaino</u>
CRD: <u>Ka Kin Cheng</u>	INTERPRETER: <u>None</u>
COURT REPORTER: <u>Zoom</u>	PRETRIAL OFFICER: <u>Daniel Palomares</u>
CSO: <u>None</u>	TIME: <u>11:01 - 11:31 AM (30 minutes)</u>
HEARING DATE: <u>October 28, 2020</u>	

PROCEEDINGS

- ☒ ORAL WAIVER OF IDENTITY HEARING GIVEN
- ☐ PRELIMINARY HEARING/ARRAIGNMENT HELD
- ☐ DEFENDANT SWORN
- ☐ COURT READ CHARGES TO DEFENDANT; DEFENDANT PLEADS NOT GUILTY
- ☐ COURT FINDS PROBABLE CAUSE EXIST TO PRESENT CASE TO GRAND JURY FOR INDICTMENT
- ☒ DETENTION HEARING HELD
- ☐ WITNESS SWORN AND TESTIFIED
- ☐ EXHIBITS OFFERED AND ADMITTED
- ☒ GOVERNMENT STATES THERE ARE CONDITIONS THAT CAN BE SET
- ☒ MOTION TO DETAIN WITHDRAWN
- ☒ COURT FINDS THERE ARE CONDITIONS TO BE SET
- ☒ CONDITIONS REVIEWED WITH DEFT WHO ACKNOWLEDGED UNDERSTANDING
- ☒ HEARING CONCLUDED
- ☒ WRITTEN ORDER TO FOLLOW
- ☒ STATUS CONFERENCE SET FOR 11/5/2020 AT 11:15 AM

OTHER: Oral consent to proceed by videoconference.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

October 28, 2020

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: kkc
DEPUTY

United States of America

§

vs.

§

Case No: AU:20-M -00885(1)

§

(1) Brannen S Mehaffey

§

Charging District: District of Arizona, Phoenix Division

§

Charging District's Case No.: 2:20-cr-626-PHX-DWL

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: U.S. Magistrate Judge Deborah M. Fine U.S. Courthouse 401 West Washington Street, Phoenix, AZ 85003	Courtroom No. 304 Date and Time: 11/25/2020 at 11:00 am.
--	--

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: October 28, 2020



ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

October 28, 2020

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: kkc
DEPUTY

United States of America

v.

Brannen S. Mehaffey*Defendant*

Case No. 1:20MJ00885-001

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: U.S. COURTHOUSE, 401 W. Washington Street, Phoenix, Arizona 85003
Courtroom #304
Place

on _____ **When notified**
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- (X) (6) The defendant is placed in the custody of:

Person or organization Brett Mehaffey

Address (only if above is an organization) 6300 Capriolla Drive, 78745

City and state Austin, Texas

Tel. No. (512) 695-6900

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

10/28/2020

Date

- (X) (7) The defendant must:

(X) (a) submit to supervision by and report for supervision to the U.S. PRETRIAL SERVICES OFFICE, telephone number 512-916-5297, no later than _____.

(X) (b) continue or actively seek employment.

() (c) continue or start an education program.

(X) (d) surrender any passport to: PRETRIAL SERVICES

(X) (e) not obtain a passport or other international travel document.

(X) (f) abide by the following restrictions on personal association, residence, or travel: NO TRAVEL OUTSIDE TRAVIS, HAYS, AND WILLIAMSON COUNTY UNLESS AUTHORIZED BY U.S. PRETRIAL SERVICES. NO FOREIGN TRAVEL. MAY TRAVEL TO ARIZONA FOR COURT PURPOSES AND TO VISIT WITH ATTORNEY.

(X) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: _____

() (h) get medical or psychiatric treatment: _____

() (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

() (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

(X) (k) not possess a firearm, destructive device, or other weapon.

(X) (l) not use alcohol (X) at all () excessively.

(X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(X) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

(X) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

() (p) participate in one of the following location restriction programs and comply with its requirements as directed.

() (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

() (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

() (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

() (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

() You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

(X) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

(X) (s) The defendant is ordered to appear for processing by the United States Marshal's Service at their office on the 3rd floor of the U.S. Courthouse in Austin, Texas WITHIN FIVE (5) DAYS of the defendant's release from custody. A prohibition on the peer-to-peer exchange, purchase, sale, or transfer of virtual currency unless the defendant first registers with the Financial Crimes Enforcement Network (FinCEN).

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



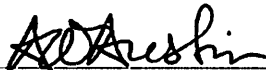
Defendant's Signature

Austin, TX
City and State

Directions to the United States Marshal

- (X) The defendant is ORDERED released ~~after processing~~.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 10/28/2020



Judicial Officer's Signature

Andrew W. Austin, U.S. Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

October 28, 2020

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: kkc
DEPUTY

United States of America

§

vs.

§

§

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(1) Brannen S Mehaffey

§

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Case No: AU:20-M -00885(1)

Charging District: District of Arizona, Phoenix Division

Charging District's Case No.: 2:20-cr-626-PHX-DWL

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

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Place: U.S. Magistrate Judge Deborah M. Fine U.S. Courthouse 401 West Washington Street, Phoenix, AZ 85003	Courtroom No. 304 Date and Time: 11/25/2020 at 11:00 am.
--	--

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: October 28, 2020



ANDREW W. AUSTIN

UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

vs.

(1) Brannen S Mehaffey

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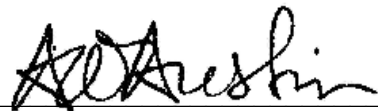
NO: AU:20-M -00885(1)

ORDER SETTING STATUS CONFERENCE BY VIDEO

IT IS HEREBY ORDERED that the above entitled and numbered case is set for **STATUS CONFERENCE** by video on Thursday, November 5, 2020 at 11:15 AM before the Honorable Andrew W. Austin. Connection instructions will be e-mailed to counsel of record in advance of the hearing.

IT IS FURTHER ORDERED that the Clerk of Court shall send a copy of this order to the defendant, counsel for defendant, the United States Attorney, U.S. Pretrial Services, United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting. If the defendant is on bond, he/she shall be present.

IT IS SO ORDERED this **28th day of October, 2020.**



ANDREW W. AUSTIN

UNITED STATES MAGISTRATE JUDGE

UNITED STATES MAGISTRATE JUDGE
STATUS CONFERENCE BY VIDEO

CASE NO.	<u>AU:20-M -00885(1)</u>	LOCATION:	<u>AUSTIN, TEXAS</u>
DEFENDANT'S NAME (1) Brannen S Mehaffey		ATTORNEY FOR DEFENDANT:	<u>Jesus Salinas</u>
MAGISTRATE JUDGE:	<u>ANDREW W. AUSTIN</u>	AUSA:	<u>Gary Restaino, Caitlin Noel</u>
CRD:	<u>Ka Kin Cheng</u>	INTERPRETER:	<u>None</u>
COURT REPORTER:	<u>Zoom</u>	PRETRIAL OFFICER:	<u>Daniel Palomares</u>
CSO:	<u>None</u>	PROBATION OFFICER:	<u>None</u>
DATE:	<u>November 05, 2020</u>	TIME:	<u>11:15 - 11:25 AM (10 minutes)</u>

PROCEEDINGS

☒ OTHER PROCEEDINGS

Oral consent to proceed by videoconference; Status conference by video held; statements made by the parties; defendant to check in to in-patient treatment; AUSA to confer with AFD John Rudes (District of Arizona) regarding defendant's next court appearance in the U.S. District of Arizona. Hearing concluded; written order to follow.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA

v.

BRANNEN S. MEHAFFEY

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1:20-M-885-AWA
(D. Ar. No. CR-20-626-PHX-DWL)

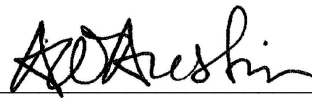
ORDER

Consistent with the discussion at the status conference in this matter today, the Court hereby modifies the Order Setting Conditions of Release (Dkt. No. 11) entered on October 28, 2020, to include the following additional detail regarding substance abuse treatment:

The defendant shall participate in and complete an inpatient substance abuse treatment program at Any Length Retreat in Pflugerville, TX and follow the rules and regulations of that program. He shall begin that program on November 5, 2020.

All other conditions of release shall remain the same.

SIGNED this 5th day of November, 2020.



ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE